

REMARKS

In the Final Office Action mailed on December 1, 2006, the Examiner rejected claims 1, 2, 4-16 and 18-28 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,594,361 to Chaney et al. in view of U.S. Patent No. 5,708,963 to Mobley et al. and U.S. Patent Publication No. 2005/0259813 to Wasilewski.

In response, Applicant has amended claims 1, 10, 11, 13, 14, 15, 24, 25, 27 and 28. Applicant has also cancelled claims 9 and 23. No new matter has been added.

Applicant respectfully requests entry of this amendment because it does not raise new issues and it simplifies issues for appeal. Specifically, claims 1 and 15 have been amended to include the limitations of cancelled claims 9 and 23. Claims 10, 13, 14, 24, 27 and 28 have been amended to change dependencies from cancelled claims 9 and 23 to pending claims 1 and 15, respectively. Claims 11 and 25 have been amended to correct an inconsistency.

As previously stated, applicant has amended independent claims 1 and 15 to include the limitations of cancelled claims 9 and 23, respectively. In making the rejection, the Examiner asserts it would have been obvious to combine Chaney, Mobley and Wasilewski for the purpose of reducing the potential liability for the service providers. See Final Rejection mailed December 1, 2006; page 5, third paragraph. Applicant believes this means that only a user with enough credit in his home system (i.e., not in the service provider's system) can order IPPV services in the combined Chaney, Mobley and Wasilewski system. To put it another way, the head-end in the Chaney, Mobley and Wasilewski system is NOT needed to determine if a user can afford to purchase an IPPV program. Instead, a simple check is done at the home system to

determine if enough credit exists to purchase the IPPV program. Thus, there is no need to report back to the service provider's head-end what the value is that is stored on the user's home Chaney, Mobley and Wasilewski system. The Examiner does not address why a report back feature is needed in the combined Chaney, Mobley and Wasilewski system. This is because the Examiner's motivation to combine these references obviates the need for a report back feature. Since amended claims 1 and 15 recite a report back feature, these claims are distinguishable over the combination of Chaney, Mobley and Wasilewski.

For at least these reasons, claims 1 and 15 are allowable over the cited art. Claims not specifically mentioned are allowable due to their dependency on an allowed base claim.

CONCLUSION

No additional fees are due. However, the Office is authorized to charge any additional fees or underpayments of fees (including fees for petitions for extensions of time) under 37 C.F.R. 1.16 and 1.17 to account number 502117. Any overpayments should be credited to the same account.

Applicant respectfully requests reconsideration of the present application, withdrawal of the rejections made in the last Office Action and the issuance of a Notice of Allowance. The Applicant's representative can be reached at the below telephone number if the Examiner has any questions.

Respectfully submitted,

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____January 8, 2007____
Date